

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

ARNOLD J. HARRIS
Plaintiff

FILED
SCRANTON

v.

FEB 20 2018

Civil Action No

J.A. ECKARD, SUPERINTENDENT, et al., *Defendant*

PER AMO DEPUTY CLERK

1:15-cv-1141

(Magistrate Judge Saporito)

PLAINTIFF HARRIS' MOTION FOR RECONSIDERATION OF MAGISTRATE JUDGE SAPORITO'S DECISION TO DIRECT THE CLERK OF COURT TO CLOSE MY CASE

MATERIAL FACTS

In the case of Harris v. Eckard, et al., it was recommended that the Clerk of Court adopt the *Report and Recommendation* (Doc. No. 65) of Magistrate Judge Saporito and direct the Clerk of Court to close my case. It was also recommended that the Clerk of Court enter judgment in favor of the Defendants, and against Plaintiff Harris.

Just because Plaintiff Harris has made *one (1) small error*, by not claiming monetary damages on his initial grievance, he should not be penalized by having his case dismissed. The Court didn't even explain to Plaintiff Harris, if his case was dismissed, with or without prejudice, giving the Plaintiff the legal right to appeal his case, or re-file his grievance, and this time, exhaust his administrative remedies correctly by the claiming of monetary damages.

The Plaintiff's *Constitutional Rights* were still violated, by Plaintiff Harris being permanently damaged by environmental tobacco smoke, and being diagnosed with *C.O.P.D., Asthma, Hypertension and Shortness of Breath*.

Plaintiff Harris prays that the Court will *reconsider its decision to close this case*, and not penalize the Plaintiff for making the error of not claiming monetary damages on his initial grievance.

Plaintiff Harris asks this Court to relieve him of Magistrate Judge Saporito's Report and Recommendation, and to relieve him of Magistrate Judge Saporito's decision. Also, if the Court adopts the Report and Recommendation to close this case, is this case dismissed with prejudice, or without prejudice.

The Plaintiff has a legal right to appeal if applicable to do so, or refile his complaint with the Court, but needs to do so in a timely manner, and needs the decision of the Court as to how this case was dismissed, or closed, with or without prejudice.

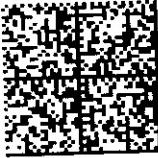
Thank you for your time and have a bless day.

Sincerely Yours,



Arnold Joseph Harris (Plaintiff)

U.S. POSTAGE » PITNEY BOWES



**INMATE MAIL
PA DEPARTMENT
OF CORRECTIONS**

Name Arnold J. Harris
Number LD-5834
1100 Pike Street
Huntingdon, PA 16654-1112

U.S. District Court, Middle District of Pa.
William J. Nealon Federal Bldg. & U.S. Court
235 N. Washington Ave. P.O. Box 1148
Scranton, Pennsylvania 18501

RECEIVED
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Inmate Mail - PA DEPT OF CORRECTIONS

Attn: Clerk of Court

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